

Issued July 26, 1913.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 2488.

(Given pursuant to section 4 of the Food and Drugs Act.)

**U. S. v. 4 Cases of Shucked Oysters. Decree of condemnation pro confesso.
Goods ordered destroyed.**

ADULTERATION OF SHUCKED OYSTERS.

On January 15, 1913, the United States Attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of four cases, each containing two 3-gallon cans of shucked oysters, remaining unsold in the original unbroken packages and in possession of the Booth Fisheries Co., Denver, Colo., alleging that the product had been shipped in interstate commerce from the State of Maryland into the State of Colorado and charging adulteration in violation of the Food and Drugs Act. Two of the cases were labeled: "— Galls. 6 Standards — To Booth Fisheries Co., Denver Colo. From George R. Caulk ——— St. Michaels, Md." Two of the cases were labeled: "—— Galls. —— Standards. Mediums 6 Selects. To Booth Fisheries Co., Denver Colo. From George R. Caulk, —— St. Michaels, Md."

Adulteration of the product was alleged in the libel for the reason that it consisted in whole or in part of filthy and putrid animal matter and by reason of said filthy and putrid animal matter was wholly unfit for use and consumption as food.

On February 25, 1913, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered and it was further ordered that the product should be destroyed by the United States marshal.

B. T. GALLOWAY,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *June 3, 1913.*